

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ALVIN D. FRAZIER,

Plaintiff,

v.

JEFFREY WOODS, et al.,

Defendants.

Case No. 2:17-cv-89

HON. JANET T. NEFF

ORDER

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Currently, only three plaintiffs remain. Certain defendants filed a motion for summary judgment (ECF No. 46). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on November 5, 2018, recommending that this Court grant in part the motion. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 63) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for summary judgment (ECF No. 46) is GRANTED IN PART. Defendants MacArther, Russo, Herbert, Line, J. Grove, D. Gallagher, Kathy Olsen, and Mark W. Pokley are DISMISSED without prejudice due to Plaintiff's failure to exhaust administrative grievance remedies. Plaintiff's Eighth Amendment failure to protect claims will continue against Defendants Butler, Isard, McGeshik, Dunton, G. McLeod, and M. Marlette.

Dated: November 30, 2018

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge